



Docket No.: 248430US6



ATTORNEYS AT LAW

COMMISSIONER FOR PATENTS
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RE: Application Serial No.: 10/768,088
Applicants: Ken IIZUKA
Filing Date: February 2, 2004
For: IMAGE MATCHING SYSTEM AND IMAGE
MATCHING METHOD AND PROGRAM
Group Art Unit: 2624
Examiner: TSUNG-YIN TSAI

SIR:

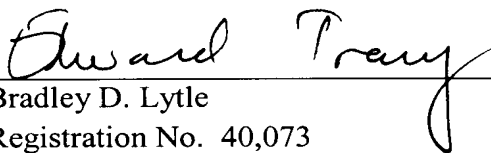
Attached hereto for filing are the following papers:

**Letter regarding Submission of Corrected Appeal Brief
Appeal Brief w/ Appendices**

Our online credit card payment in the amount of **\$0.00** is being made covering any required fees. In the event any variance exists between the amount enclosed and the Patent Office charges for filing the above-noted documents, including any fees required under 37 C.F.R. 1.136 for any necessary Extension of Time to make the filing of the attached documents timely, please charge or credit the difference to our Deposit Account No. 15-0030. Further, if these papers are not considered timely filed, then a petition is hereby made under 37 C.F.R. 1.136 for the necessary extension of time.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
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DOCKET NO: 248430US6

IN THE UNITED STATES PATENT & TRADEMARK OFFICE

IN RE APPLICATION OF :
KEN IIZUKA : EXAMINER: TSAI, T.
SERIAL NO: 10/768,088 :
FILED: FEBRUARY 2, 2004 : GROUP ART UNIT: 2624
FOR: IMAGE MATCHING SYSTEM :
AND IMAGE MATCHING METHOD
AND PROGRAM

LETTER REGARDING SUBMISSION OF CORRECTED APPEAL BRIEF

COMMISSIONER FOR PATENTS
ALEXANDRIA, VIRGINIA 22313

SIR:

The attached Appeal Brief with Appendices is submitted herewith to update the records of the U.S. Patent and Trademark Office. In accordance with a Notification of Non-Compliant Appeal Brief (37 C.F.R. §41.37) dated June 9, 2008, the Appellants previously submitted an Appeal Brief which did not contain Appendices VIII-X, which are included herewith.

However, the Notice also indicates that the original Appeal Brief did not contain a statement of the status of all claims, or does not identify the appealed claims. It is respectfully noted that this information is at the top of page 2 in Section III. Further, the Notice indicates that the original Appeal Brief does not present an argument under a separate heading for each ground of rejection on appeal. It is respectfully noted that page 4 includes the heading:

A. Claims 1-6, 9-14, 17-22, and 25 are not anticipated by Wendt

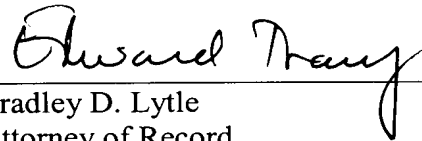
Further, page 8 includes the heading:

B. Claims 7, 8, 15, 16, 23, and 24 are not unpatentable over Wendt in view of Oosawa

to address the other ground of rejection. Accordingly, these requirements under 37 C.F.R. §41.37 are believed to be met by both the original and the presently filed Appeal Brief.

Respectfully submitted,

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